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June 10, 2022

VIA ECF

Judge Pamela K. Chen & Magistrate Judge Robert M. Levy  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: *Kurtz v. Kimberly-Clark Corp., et al.*, No. 1:14-cv-01142-PKC-RML  
Joint Motion to Extend Fact Discovery Deadline & Expert Report Deadlines

Dear Judge Chen and Judge Levy:

We write to you on behalf of Plaintiff Dr. D. Joseph Kurtz (“Plaintiff”) and Defendant Costco Wholesale Corporation (“Costco”) (together, the “Parties”) to jointly request that the Court extend certain deadlines in the above-captioned case as detailed below.

As the Court is aware, the Parties have been negotiating in good faith to resolve this matter with the assistance of a neutral mediator, Michael N. Ungar. While the Parties are continuing to negotiate a resolution through the mediator, the discussions have progressed somewhat slower than originally envisioned, due to certain unforeseen obstacles. To allow the Parties to continue to focus their efforts on resolving this case through mediation, including negotiating certain settlement terms and parameters, we believe that the interests of judicial economy and efficiency are best served by extensions of time for fact discovery and expert reports, along with a short extension of time for dispositive motions.

Accordingly, the Parties propose the following modification to the current schedule (ECF No. 424-1) as modified by the Court in its April 18, 2022 Order:

	<b>Current Schedule</b>	<b>Proposed Schedule</b>
Fact Discovery deadline (including depositions)	June 15, 2022	July 20, 2022
Telephonic Conference	June 27, 2022	August 1, 2022
Plaintiff’s expert report(s) due	June 29, 2022	August 3, 2022
Defendant’s expert report(s) due	August 15, 2022	September 19, 2022
Dispositive motion deadline	October 14, 2022	October 28, 2022

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The Parties state that they previously sought to extend the fact and expert discovery deadlines four other times, and the conference and dispositive motion deadline two other times.

Respectfully submitted,

/s/ Vincent M. Serra

Vincent M. Serra

*Counsel for Plaintiff D. Joseph Kurtz*

/s/ Karl A. Bekeny

Karl A. Bekeny

*Counsel for Defendant Costco Wholesale Corporation*

cc: All Counsel of Record (via ECF)